

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY JUNE 11, 2015
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Theodore Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT:

Theodore Mau, Chairman
Samuel Frain, Vice Chairman
Donald Alford
Robert Loose
Thomas Sproles
Christopher Cooke
Roland Cutter
Tasha Smith, State Department of Health

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Jennifer Broadbent, Assistant Board Director
Donald Hannah, Deputy Attorney General
Jeanne Tucker, Inspector

ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Frain/Loose
8/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE APRIL 2, 2015, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the April 2, 2015 meeting.

Cooke/Cutter
8/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written report was provided. There has been an uptic in complaints due to recent revoked and closed funeral homes. They have a new analyst. They have been dealing with post-litigation issues.

**ADMINISTRATIVE HEARING IN THE MATTER OF ADMINISTRATIVE HEARING IN THE MATTER OF
MICHAEL J. MCKEE, FD01015892, SBFCS 15-06**

A motion was made and seconded to issue a notice of proposed dismissal.

Frain/Cutter
8/0/0
Motion carried.

CONSIDERATION OF CIVIL ENFORCEMENT OF THE ORDERS OF REVOCATION PURSUANT TO IC 4-21.5-6-1

- 1) Russell A. Kraft, FD29300105, SBFCS 14-08
- 2) Kraft Funeral and Crematory, Inc., FH10000005 & CA20500007, SBFCS 14-09

Jeanne Tucker has spoken to a consumer that spoke to Jaqueline Kraft regarding her preneed contract last week. The consumer demanded a refund or she would contact her attorney. Kraft refunding the money paid which indicates the Kraft Funeral and Crematory, Inc., FH10000005 & CA20500007 has NOT provided the board with all of the preneed files in their possession at the time the license was revoked. This will be included in the Motion for Civil Enforcement if Kraft Funeral Home fails to turn over the preneed files.

A motion was made and seconded to move forward with the Civil Enforcement.

Sproles/Loose
8/0/0
Motion carried.

REASSIGNMENT OF SUCCESSOR SELLER PURSUANT TO IC 30-2-13-15(E)

- 1) Clark-O'Neal Funeral Home, Inc., FH10400018, CA20600064 (closed 4/8/15)
- 2) Kraft Funeral and Crematory Inc., FH10000005, CA20500007 (revoked 2/17/15)

A motion was made and seconded to table the matter to give the board an opportunity to review the files.

Loose/Frain
8/0/0
Motion carried.

DISCUSSION OF BOARD PROCEDURE REGARDING VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND FOR SELLERS WITH REVOKED LICENSES/CERTIFICATES OF AUTHORITY

It was determined that the board cannot guarantee future payment and encourage those that have contracts to gather all needed information to file a verified complaint for restitution and the board will review then on an individual basis.

Public education of the preneed information is needed.

DISCUSSION OF CONTINUING EDUCATION SPONSOR COURSE COMPLETION CERTIFICATES

It was the consensus of the board to amend the sponsor forms to add a statement that proper proof of course subject information should be on the proof of completion.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following sponsors/courses.

Sproles/Frain
8/0/0
Motion carried.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 12:25 p.m.